

REMARKS

Status of the Claims

Claims 1-44, all the pending claims, are subject to a restriction requirement. Claims 1-28 and 37-44 have been canceled without prejudice. Claims 30 and 34 have been amended. New claims 45-58 have been added. Upon entry of this response, claims 29-36 and 45-58 are pending. No new matter has been added.

Restriction Requirement

The Examiner required Applicants to elect one of ten patentably distinct inventions for examination.

Applicants provisionally elect herein Group VIII, encompassing claims 29 and 31-36, "drawn to a method of identifying an individual exposed to a virus, classified in class 435, subclass 5". Applicants note that in the Office Action claim 30 was not included within Group VIII. Claim 30 has been amended to correct the dependency of claim 30 so that it now falls within Group VIII. Applicants have also added new claims 45-58 which are generally drawn to the same subject matter as Group VIII.

Notwithstanding the foregoing, Applicants respectfully submit that no serious burden would be imposed upon the Examiner by combining several of the groups.

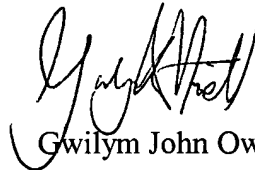
Applicants reserve the right to prosecute the claims encompassed by any of the non-elected groups in future divisional applications.

Conclusion

The pending claims are in condition for allowance. An early indication of allowability is therefore earnestly solicited. Applicant invites the Examiner to contact the undersigned at (215) 665-6904 to clarify any unresolved issues raised by this response.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,



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Date: February 4, 2003

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Version with markings to show changes made

In the Claims:

Please cancel claims 1-28 and 37-44:

Please amend claims 30 and 34 as follows:

30. **(Amended)** The method of claim [24] 29, wherein the capsid protein is WNV capsid protein.

34. **(Amended)** The method of claim 33, wherein the virus is WNV [and the capsid protein is WNV capsid protein].

Please add claims 45-58 as follows:

45. **(New)** The method of claim 29 wherein the capsid protein is WNV capsid protein or a fragment thereof.

46. **(New)** The method of claim 29, wherein said antibodies are monoclonal.

47. **(New)** The method of claim 29, further comprises quantifying the amount of said capsid protein in said sample.

48. **(New)** The kit of claim 35, wherein the capsid protein is WNV capsid protein or a fragment thereof.

49. **(New)** The kit of claim 31, wherein said antibodies are monoclonal antibodies.

50. **(New)** The kit of claim 31, wherein said capsid protein is made in human cells, CHO cells, insect cells, or yeast cells.

51. **(New)** The kit of claim 31, wherein said kit is used to quantify the amount of said capsid protein present in a sample of an individual.

52. **(New)** The method of claim 33, wherein said capsid protein is WNV capsid protein.

53. **(New)** The method of claim 33, wherein said capsid protein is WNV capsid protein or a fragment thereof.

54. **(New)** The method of claim 33, wherein said capsid protein is made in human cells, CHO cells, insect cells, or yeast cells.

55. **(New)** The method of claim 33, further comprises quantifying the amount of said antibodies in said sample.

56. (New) The kit of claim 35, wherein said antibodies are monoclonal antibodies.
57. (New) The kit of claim 35, wherein said capsid protein is made in human cells, CHO cells, insect cells, or yeast cells.
58. (New) The kit of claim 35, wherein said kit is used to quantify the amount of anti-capsid protein antibodies present in a sample of said individual.